

# MCNAIR

## CHAMBERS

### Updates on Syria and Sanctions

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*Overview of UN, US and EU Sanctions and recent events in Syria*

26 June 2012

## Summary

1. Existing sanctions on Syria:
  - a. The US has tightened pre-existing financial and trade sanctions since the beginning of the crisis, targeting the banking and trade sectors of the Syrian economy. More recent Executive Orders have focused on weapons trade, petrochemical goods and freezing the assets of specific individuals.
  - b. The EU has since 2011 enacted and enforced sanctions on the Syrian economy including oil, construction, banking, luxury goods, and blocking property and visa rights of individuals.
  - c. The UN has submitted supervisory observers to the region (who have been withdrawn due to safety issues) and has condemned the violence in Syria.
2. Recent events have included increased tension in the relationships between Syria and Turkey after a Turkish military plane was shot down, allegedly over Syrian territory with conflicting accounts from both sides. Nonetheless at this point NATO and the international community do not support military intervention.
3. A number of commentators have argued for and against the merits of foreign military intervention in Syria. The situation is highly complex and the international community will pay close attention as it develops further in the days to come.

## Disclaimer

None of the content in this document reflects the opinions of McNair Chambers. The material in this document is provided for informative purposes only, DOES NOT constitute legal advice and is subject to change. Any party which is unsure as to whether it is subject to the sanctions should seek legal advice.

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## US Sanctions on Syria:

### Summary

There are currently three types of sanctions that the U.S. government has imposed against Syria:

- a. The most comprehensive sanction, called the Syria Accountability Act (SAA) of 2004, prohibits the export of most goods containing more than 10% U.S.-manufactured component parts to Syria.
- b. Another sanction, resulting from the USA Patriot Act, was levied specifically against the Commercial Bank of Syria in 2006.
- c. The third type of sanction contains many Executive Orders from the President that specifically deny certain Syrian citizens and entities access to the U.S. financial system due to their participation in proliferation of weapons of mass destruction, association with Al Qaida, the Taliban or Osama bin Laden; or destabilizing activities in Iraq and Lebanon.

### Timeline

The most important acts and laws are listed below.

#### **2003 Syria Accountability and Lebanese Sovereignty Restoration Act**

#### **2004 Syria Accountability Act (SAA)**

- Prohibits the export of most goods containing more than 10% U.S. manufactured component parts to Syria.

#### **May 12, 2004 – Executive Order 13338**

- Munitions trade etc. ban

#### **June 9, 2005 - Executive Order 13315**

- Blocks property and interests in property of senior officials of the former Iraqi regime

#### **June 30, 2005 – Executive Order 13225**

- Financially isolating individuals and entities contributing to the Government of Syria's problematic behavior

#### **June 30, 2005 - Executive Order 13382**

- Freezing the assets of proliferators of weapons of mass destruction (WMD) and their supporters

#### **2006 Decision arising from the USA Patriot Act**

- Levied specifically against the Commercial Bank of Syria

**April 26, 2006 – Executive Order 13399**

- Syrian property in US affected

**August 3, 2007 - Executive Order 13441**

- Blocking Property of Persons Undermining the Sovereignty of Lebanon or Its Democratic Processes and Institutions

**February 15, 2008 – Executive Order 13460**

- Blocking Property of Additional Persons in Connection With the National Emergency With Respect to Syria

**April 29, 2011 - Executive Order 13572**

- Blocking Property of Certain Persons with Respect to Human Rights Abuses in Syria

**August 17, 2011 - Executive Order 13582<sup>1</sup>**

- Blocks all property and interests in property of the Government of Syria, which includes its agencies, instrumentalities and controlled entities, within U.S. jurisdiction, whether specifically identified by OFAC or not
- Prohibits U.S. persons from exporting or reexporting services to Syria.
- Prohibits U.S. imports of Syrian-origin petroleum or petroleum products
- Prohibits U.S. persons from having any dealings in or related to Syrian-origin petroleum or petroleum products.
- Prohibits U.S. persons, wherever located, from operating or investing in Syria.
- Prohibits U.S. persons from approving, financing, facilitating or guaranteeing transactions by foreign person where the transaction by that foreign person would be prohibited if performed by a U.S. person or within the U.S.

**March 05, 2012 –New Syria Designations by OFAC<sup>2</sup>**

- Targets Main Syrian Broadcasters Supporting Violent Crackdown
- OFAC identified the Syrian General Organization of Radio and TV as subject to sanctions imposed on the Government of Syria in Executive Order (E.O.) 13582.
- U.S. persons are generally prohibited from engaging in business with any Syrian state-owned entity.
- The General Organization of Radio and TV is a state-run agency subordinate to Syria's Ministry of Information. It is responsible for operating Syria's state-owned television channels, two terrestrial and one satellite, as well as the government radio stations.

**March 30, 2012 –New Syria Designations by OFAC<sup>3</sup>**

- Individuals have been added to OFAC's SDN list

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<sup>1</sup><http://www.gpo.gov/fdsys/pkg/FR-2011-08-22/pdf/2011-21505.pdf>

<sup>2</sup><http://www.treasury.gov/press-center/press-releases/Pages/tg1443.aspx>

<sup>3</sup><http://www.treasury.gov/press-center/press-releases/Pages/tg1517.aspx>

**April 23, 2012 – Executive Order<sup>4</sup>**

- Targets, among others, persons determined to have operated, or to have directed the operation of, information and communications technology that facilitates computer or network disruption, monitoring or tracking that could assist in or enable human rights abuses by or on behalf of the Government of Syria or the Government of Iran.
- Pursuant to this order sanctions were imposed on:
  - Syrian General Intelligence Directorate (GID)
  - GID's Director Ali Mamluk
  - Iran's Ministry of Intelligence and Security (MOIS)
  - Iran's Islamic Revolutionary Guard Corps (IRGC)
  - Iran's Law Enforcement Forces (LEF)
  - Iranian Internet service provider Datak Telecom
  - Syrian communication firm Syriatel.

**April 23, 2012 - GHRAVITY Executive Order<sup>5</sup>**

- Executive Order Blocking The Property And Suspending Entry into the United States of Certain Persons with Respect to Grave Human Rights Abuses by the Governments of Iran and Syria Via Information Technology
- Blocks all property and interests in property of persons listed in its Annex, and all persons determined by the Secretary of the Treasury.

**May 01, 2012 - Executive Order 13608<sup>6,7</sup>**

- Prohibiting Certain Transactions With and Suspending Entry Into the United States of Foreign Sanctions Evaders With Respect to Iran and Syria
- Targets foreign individuals and entities that have violated, attempted to violate, conspired to violate, or caused a violation of U.S. sanctions against Iran or Syria, or that have facilitated deceptive transactions for persons subject to U.S. sanctions concerning Syria or Iran. With this new authority, Treasury now has the capability to publicly identify foreign individuals and entities that have engaged in these evasive and deceptive activities, and generally bar access to the U.S. financial and commercial systems.

**May 30, 2012 - Non-proliferation Designation by OFAC**

- Syria International Islamic Bank (a.k.a. SIIB; a.k.a. Syrian International Islamic Bank) has been added to OFAC's SDN list

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<sup>4</sup>[http://www.treasury.gov/resource-center/sanctions/Programs/Documents/2012iran\\_syria\\_eo.pdf](http://www.treasury.gov/resource-center/sanctions/Programs/Documents/2012iran_syria_eo.pdf)

<sup>5</sup>[http://www.treasury.gov/resource-center/sanctions/Programs/Documents/2012iran\\_syria\\_eo.pdf](http://www.treasury.gov/resource-center/sanctions/Programs/Documents/2012iran_syria_eo.pdf)

<sup>6</sup>[http://www.treasury.gov/resource-center/sanctions/Programs/Documents/fse\\_eo.pdf](http://www.treasury.gov/resource-center/sanctions/Programs/Documents/fse_eo.pdf)

<sup>7</sup>[http://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Documents/fse\\_fact\\_sheet\\_05012012t.pdf](http://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Documents/fse_fact_sheet_05012012t.pdf)

## Legislation enacted concerning Syria

### **US Embassy in Damascus:**

“In 2006, the Department of the Treasury issued a final ruling that imposes a special measure against the Commercial Bank of Syria as a financial institution of primary money laundering concern under the USAPATRIOT Act, Section 311 (Special Measures for Jurisdictions, Financial Institutions, or International Transactions of Primary Money Laundering Concern). This action bars U.S. banks and their overseas subsidiaries from maintaining a correspondent account with the CBS; it also requires banks to conduct due diligence that ensures the CBS is not circumventing sanctions through its business dealings with them.”

### **Patriot Act Section 311:**

“SUMMARY: The Financial Crimes Enforcement Network is issuing a final rule imposing a special measure against Commercial Bank of Syria as a financial institution of primary money laundering concern, pursuant to the authority contained in 31 U.S.C. 5318A of the Bank Secrecy Act. This final rule is effective on April 14, 2006.”

“...to promote the prevention, detection, and prosecution of money laundering and the financing of terrorism.”

“Finding that BOS was used for money laundering to a great extent.”

“...we are imposing the special measure authorized by 31 U.S.C. 5318A(b)(5) with regard to Commercial Bank of Syria. That special measure authorizes the prohibition of, or the imposition of conditions upon, the opening or maintaining of correspondent or payable-through accounts by any domestic financial institution or domestic financial agency for, or on behalf of, a foreign financial institution found to be of primary money laundering concern.”

### **Patriot Act Section § 103.188 Special measures against Commercial Bank of Syria**

“(1) Prohibition on direct use of correspondent accounts. A covered financial institution shall terminate any correspondent account that is open or maintained in the United States for, or on behalf of, Commercial Bank of Syria.

(2) Due diligence of correspondent accounts to prohibit indirect use.

(i) A covered financial institution shall apply due diligence to its correspondent accounts that is reasonably designed to guard against their indirect use by Commercial Bank of Syria. At a minimum, that due diligence must include:

- (A) Notifying correspondent account holders that the correspondent account may not be used to provide Commercial Bank of Syria with access to the covered financial institution; and
  - (B) Taking reasonable steps to identify any indirect use of its correspondent accounts by Commercial Bank of Syria, to the extent that such indirect use can be determined from transactional records maintained in the covered financial institution's normal course of business.
- (ii) A covered financial institution shall take a risk-based approach when deciding what, if any, additional due diligence measures it should adopt to guard against the indirect use of its correspondent accounts by Commercial Bank of Syria.
  - (iii) A covered financial institution that obtains knowledge that a correspondent account is being used by the foreign bank to provide indirect access to Commercial Bank of Syria shall take all appropriate steps to prevent such indirect access, including, where necessary, terminating the correspondent account.
  - (iv) A covered financial institution required to terminate a correspondent account pursuant to paragraph (b)(2)(iii) of this section:
    - (A) Should do so within a commercially reasonable time, and should not permit the foreign bank to establish any new positions or execute any transaction through such correspondent account, other than those necessary to close the correspondent account; and
    - (B) May reestablish a correspondent account closed pursuant to this paragraph if it determines that the correspondent account will not be used to provide banking services indirectly to Commercial Bank of Syria.
- (3) Recordkeeping and reporting.
- (i) A covered financial institution is required to document its compliance with the notice requirement set forth in paragraph (b)(2)(i)(A) of this section.
  - (ii) Nothing in this section shall require a covered financial institution to report any information not otherwise required to be reported by law or regulation.”

### **Useful Links for US Sanctions on Syria:**

#### **Fact Sheet on the Syrian Accountability and Lebanese Sovereignty Act:**

<http://www.america.gov/st/washfile-english/2004/May/20040511174402cpataruk0.5576441.html>

#### **Syrian Sanctions Guidance & Frequently Asked Questions and Answers:**

[http://www.bis.doc.gov/policiesandregulations/syriaguidance8\\_07\\_09.htm](http://www.bis.doc.gov/policiesandregulations/syriaguidance8_07_09.htm)

#### **US Embassy in Damascus:**

<http://damascus.usembassy.gov/sanctions-syr.html>

## EU Sanctions on Syria

### Summary

The EU has gradually introduced comprehensive restrictive measures, starting in May 2011 with repeated amendments and implementations. They consist of:

- Export ban on arms and related material and on equipment which might be used for internal repression, including export restrictions on certain other equipment, goods and technology that might be used for internal repression or for the manufacture or maintenance of such products. This also includes a prohibition on related technical or financial assistance.
- Import ban on crude oil and petroleum products from Syria. The prohibition concerns import, purchase and transport of such products as well as related finance and insurance. The ban also includes a prohibition on related technical and financial assistance.
- Ban on investment in the Syrian oil industry and in companies engaged in the construction of new power plants for electricity production in Syria. This covers loans and credits, acquisition or extension of participations and the creation of joint ventures.
- Prohibition to participate in the construction of new power plants, including related technical or financial assistance.
- Ban on exports to Syria of key equipment and technology for the oil and gas industry. The ban also includes a prohibition on related technical and financial assistance.
- The assets of the Syrian central bank within the EU are frozen and it is prohibited to make funds or economic resources available, but the provision allows for legitimate trade to continue under strict conditions.
- Ban on trade in gold, precious metals and diamonds with Syrian public bodies and the central bank.
- Ban on supplying banknotes and coinage to the Syrian central bank.
- Member states must not give new grants and concessional loans to the Syrian government.
- Asset freeze on 41 entities and 126 persons responsible for or associated with the violent repression against the civilian population in Syria or supporting or benefiting from the regime.
- Visa bans on 126 persons responsible for or associated with the violent repression against the civilian population in Syria or supporting or benefiting from the regime.
- Export ban on equipment, technology or software primarily intended for monitoring or interception of the internet or telephone communications
- No disbursements and payments in connection with existing loan agreements between Syria and the European Investment Bank, as well as the suspension of technical assistance contracts relating to projects in Syria.
- Prohibition to trade Syrian public or public-guaranteed bonds to or from the government of Syria or its public bodies and Syrian financial institutions. No brokering or issuing services for such bonds are allowed.

- Prohibition for Syrian financial institutions to open new branches or subsidiaries in the EU or to establish new joint ventures or new correspondent banking relationships with EU banks. EU banks are prohibited from opening offices or accounts in Syria.
- Member states are to restrain short and medium term financial support for trade with Syria, including export credits, guarantees and insurance. No more long-term support.
- No insurance or re-insurance to the Syrian government, public bodies, corporations or agencies (except health and travel insurance or compulsory third party insurance for Syrian persons or entities in the EU).
- Cargo flights operated by Syrian carriers may not have access to EU airports (except mixed passenger and cargo flights).
- Prohibition to export luxury goods to Syria

## Details of EU Sanctions

### Council Decision 2011/782/CFSP<sup>8</sup>

- Embargo on arms and related materiel
- Embargo on equipment which might be used for internal repression
- Ban on provision of certain services
- Embargo on telecommunications monitoring and interception equipment
- Ban on provision of certain services (related to such equipment)
- import ban on crude oil and petroleum products
- Ban on provision of certain services (related to crude oil and petroleum products)
- Embargo on key equipment and technology for the oil and natural gas industries
- Ban on provision of certain services (to the oil and natural gas industries)
- Ban on certain investment (in the oil and natural gas industries, in construction of power plants for electricity production)
- Prohibition to participate in the construction of new power plants for electricity production
- Ban on provision of new Syrian banknotes and coins
- Ban on new commitments for grants, financial assistance and concessional loans to the Government of Syria
- Restraint on commitments for public and private financial support for trade with Syria and ban on new long term commitments of Member States
- Prohibition for the European Investment Bank to make certain payments
- Restrictions on issuance of and trade in certain bonds
- Restrictions on establishment of branches and subsidiaries of and cooperation with Syrianbanks
- Restrictions on provision of insurance and re-insurance

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<sup>8</sup> OJ L 319, 2.12.2011, p. 56, Notice to listed persons, entities and bodies (OJ C 351, 2.12.2011, p. 14), <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:319:0056:0070:EN:PDF>  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2011:351:0014:0014:EN:PDF>

- Restrictions on admission of certain persons
- freezing of funds and economic resources of certain persons, entities and bodies
- Prohibition to satisfy claims made by certain persons, entities or bodies
- Repeal of Council Decision 2011/273/CFSP
- Valid until 1.12.2012

Amendments:

24.01.2012<sup>9</sup>

- Amendment of the list of persons, entities and bodies (restrictions on admission (as regards natural persons) and freezing of funds and economic resources)

28.02.2012<sup>10</sup>

- Ban on trade in gold, precious metals and diamonds with the Government of Syria
- Restrictions on access to EU airports for certain cargo flights
- Specific exception for Central Bank of Syria (freezing of funds and economic Resources)
- Amendment of the list of persons, entities and bodies (restrictions on admission (as regards natural persons) and freezing of funds and economic resources)

24.03.2012<sup>11</sup>

- Amendment of the list of persons, entities and bodies (restrictions on admission (as regards natural persons) and freezing of funds and economic resources)

24.04.2012<sup>12</sup>

- Ban on exports of certain goods which might be used for the manufacture and maintenance of equipment which might be used for internal repression
- Ban on provision of certain services
- Control of export of certain other goods which might be used for the manufacture and maintenance of equipment which might be used for internal repression
- Control of provision of certain services
- Ban on exports of luxury goods

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<sup>9</sup> Council Implementing Decision 2012/37/CFSP (OJ L 19, 24.1.2012, p. 33) Notice to listed persons, entities and bodies (OJ C 19, 24.1.2012, p. 5)

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:019:0033:0036:EN:PDF>

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:019:0005:0005:EN:PDF>

<sup>10</sup> Council Decision 2012/122/CFSP (OJ L 54, 28.2.2012, p. 14) Notice to listed persons, entities and bodies (OJ C 59, 28.2.2012, p. 1) <http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:054:0014:0017:EN:PDF>

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:059:0001:0001:EN:PDF>

<sup>11</sup> Council Implementing Decision 2012/172/CFSP (OJ L 87, 24.3.2012, p. 103), Notice to listed persons, entities and bodies (OJ C 88, 24.3.2012, p. 9)

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:087:0103:0106:EN:PDF>

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:088:0009:0009:EN:PDF>

<sup>12</sup> Council Decision 2012/206/CFSP (OJ L 110, 24.4.2012, p. 36)

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:110:0036:0037:EN:PDF>

15.05.2012<sup>13</sup>

- Amendment of the list of persons, entities and bodies (restrictions on admission (as regards natural persons) and freezing of funds and economic resources)

**Council Regulation (EU) No 36/2012<sup>14</sup>**

- Embargo on equipment which might be used for internal repression
- Ban on provision of certain services
- Embargo on telecommunications monitoring and interception equipment
- Ban on provision of certain services (related to such equipment)
- import ban on crude oil and petroleum products
- Embargo on key equipment and technology for the oil and natural gas industries
- Ban on provision of certain services (to the oil and natural gas industries)
- Ban on provision of new Syrian banknotes and coins
- Embargo on equipment used in the construction of new power plants for electricity production
- Ban on provision of certain services (related to the construction of such power plants)
- Ban on certain investment (in the oil and natural gas industries, in construction of power plants for electricity production)
- freezing of funds and economic resources of certain persons, entities and bodies
- Prohibition for the European Investment Bank to make certain payments
- Restrictions on issuance of and trade in certain bonds
- Restrictions on establishment of branches and subsidiaries of and cooperation with Syrian banks
- Restrictions on provision of insurance and re-insurance
- Prohibition to satisfy claims made by certain persons, entities or bodies
- Repeal of Regulation (EU) No 442/2011<sup>15</sup>

Amendments:

24.01.2012<sup>16</sup>

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<sup>13</sup> Council Implementing Decision 2012/256/CFSP (OJ L 126, 15.5.2012, p. 9) Notice to listed persons, entities and bodies (OJ C 139, 15.5.2012, p. 19)

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:126:0009:0011:EN:PDF>

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:139:0019:0019:EN:PDF>

<sup>14</sup> (OJ L 16, 19.1.2012, p.1) <http://eur->

[lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:016:0001:0032:EN:PDF](http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:016:0001:0032:EN:PDF)

<sup>15</sup> <http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2011R0442:20111202:EN:PDF>

- Amendment of the list of persons, entities and bodies (freezing of funds and economic resources)

28.02.2012<sup>17</sup>

- Ban on trade in gold, precious metals and diamonds with the Government of Syria
- Specific exception for Central Bank of Syria (freezing of funds and economic resources)
- Amendment of the list of persons, entities and bodies (freezing of funds and economic resources)

24.03.2012<sup>18</sup>

- Amendment of the list of persons, entities and bodies (freezing of funds and economic resources)

15.05.2012<sup>19</sup>

- Amendment of the list of persons, entities and bodies (freezing of funds and economic resources)

16.06.2012<sup>20</sup>

- Ban on exports of certain goods which might be used for the manufacture and maintenance of equipment which might be used for internal repression
- Ban on provision of certain services
- Control of export of certain other goods which might be used for the manufacture and maintenance of equipment which might be used for internal repression
- Control of provision of certain services
- Ban on exports of luxury goods

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<sup>16</sup> Council Implementing Regulation (EU) No 55/2012 (OJ L 19, 24.1.2012, p. 6) Notice to listed persons, entities and bodies (OJ C 19, 24.1.2012, p. 5)

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:019:0006:0009:EN:PDF>

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:019:0005:0005:EN:PDF>

<sup>17</sup> Council Regulation (EU) No 168/2012 (OJ L 54, 28.2.2012, p. 1) Notice to listed persons, entities and bodies (OJ C 59, 28.2.2012, p. 1)

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:054:0001:0005:EN:PDF>

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:059:0001:0001:EN:PDF>

<sup>18</sup> Council Implementing Regulation (EU) No 266/2012 (OJ L 87, 24.3.2012, p. 45) Notice to listed persons, entities and bodies (OJ C 88, 24.3.2012, p. 9)

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:087:0045:0048:EN:PDF>

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:088:0009:0009:EN:PDF>

<sup>19</sup> Council Implementing Regulation (EU) No 410/2012 (OJ L 126, 15.5.2012, p. 3) Notice to listed persons, entities and bodies (OJ C 139, 15.5.2012, p. 19)

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:126:0003:0005:EN:PDF>

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:139:0019:0019:EN:PDF>

<sup>20</sup> Council Regulation (EU) No 509/2012 (OJ L 156, 16.6.2012, p. 10)

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:156:0010:0037:EN:PDF>

Common Position 2005/888/CFSP<sup>21</sup>

- Restrictions on admission of persons suspected of involvement in the planning, sponsoring, organizing or perpetrating of the murder of former Prime Minister of the Lebanon, Rafi Hariri on 14 February 2005
- Freezing of funds and economic resources of those persons
- Commitment to cooperate with international investigation into that murder

Council Regulation (EC) No 305/2006<sup>22</sup>

- Freezing of funds and economic resources

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<sup>21</sup> (OJ L 327, 14.12.2005, p. 26) <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:327:0026:0027:EN:PDF>

<sup>22</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:051:0001:0008:EN:PDF>

## UN Resolutions on Syria

### April 21, 2012 - Resolution 2043 (2012)<sup>23</sup>

Unanimously adopting resolution 2043 (2012), submitted to the 15-member body by the Russian Federation, the Council established, for an initial 90-day period, a supervision mission, to be known as UNSMIS, comprising an initial and expeditious deployment of up to 300 unarmed military observers, including an appropriate civilian component and air transportation assets, to monitor a cessation of armed violence “in all its forms by all parties” as well as the full implementation of the United Nations Joint Special Envoy’s six-point proposal to end the conflict.

### April 14, 2012 - Resolution 2042 (2012)<sup>24</sup>

Six-Point Proposal of the Joint Special Envoy of the United Nations and the League of Arab States.

## Other UN Statements

**August 04, 2011 - The Security Council today condemned the widespread violation of human rights in Syria<sup>25</sup>** and the use of force against civilians by the country’s security forces, calling for an end to the violence and urging all sides to act with restraint and refrain from reprisals, including attacks against State institutions.

The Council unanimously<sup>26</sup> voiced its profound regret at the deaths of hundreds of the people during mass protests in Syria and urged the authorities in Damascus to fully respect human rights and comply with their obligations under international law.

**July 22, 2011 - The Special Advisers on the Prevention of Genocide and the Responsibility to Protect** are alarmed at persistent reports of widespread and systematic human rights violations by Syrian security forces responding to anti-government protests across the country.

Security forces reportedly continue to target the civilian population in areas where protests are taking place, killing protestors and arbitrarily arresting residents, often from their homes. There have been numerous reports of disappearances and the torture of detainees. Serious violations of international human rights law are reported to have systematically occurred in the context of such attacks on civilians.

Based on available information, the Special Advisers consider that the scale and gravity of the violations indicate a serious possibility that crimes against humanity may have been committed and continue to be committed in Syria. They underline the need for an independent, thorough, and objective investigation of the events in the country. They call on the Government of Syria, as

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<sup>23</sup> Adopted by the Security Council at its 6756th meeting, on 21 April 2012

<sup>24</sup> Adopted by the Security Council at its 6751st meeting, on 14 April 2012

<sup>25</sup> <http://www.un.org/apps/news/story.asp?NewsID=39229&Cr=Syria&Cr1=>

<sup>26</sup> <http://www.hrw.org/news/2011/08/04/un-syria-should-heed-council-s-call-end-attacks>

the Secretary-General has done, to allow humanitarian access to affected areas and to facilitate the visit of the Human Rights Council-mandated fact finding mission so that it can complete its work. Without these steps, it will be very difficult to defuse existing tensions and to prevent the escalation of violence.

All actors involved in the current crisis in Syria are urged to refrain from the use of force, from acts of violence, or from incitement to violence.

The Government of Syria is reminded of its responsibility to protect its population, as all heads of State and government pledged to do in the 2005 Summit Outcome Document. They agreed to prevent genocide, war crimes, ethnic cleansing, and crimes against humanity, as well as their incitement. To that end, the Government should work with civil society to encourage understanding and trust between communities, while taking care not to act in a way that could exacerbate possible differences. As a first step, the Government should ensure that security forces and civilian personnel under their command comply fully and consistently with international human rights obligations in the exercise of their functions.

### **Previous UN Resolutions**

#### **SCR 1636 (2005) UNSCR 1636(2005) & UNSCR 1636(2005) Status 2007**

- Restrictions on admission of persons suspected of involvement in the planning, sponsoring, organizing or perpetrating of the murder of former Prime Minister of the Lebanon, Rafiq Hariri on 14 February 2005
- Freezing of funds and economic resources of those persons
- Commitment to cooperate with international investigation into that murder
- Freezing of funds and economic resources

## Sanctions by the Arab League

**November 27, 2011 & December 03, 2011 - The Arab League approved sanctions against Syria** to “avoid any suffering for the Syrian people” and for Syria to “quickly approve the Arab initiative”<sup>27</sup>, an unprecedented move by the League against an Arab state. The Arab League suspended Syria's membership<sup>28</sup>.

**The sanctions include**<sup>29, 30</sup>:

- Syrian officials and VIPs are banned from traveling to Arab states<sup>31</sup>
- Asset freeze of (named) Syrian officials and VIP's
- Flights of Arab airlines to Syria are to be stopped
- All dealings with the Syrian central bank and the state-owned Commercial Bank of Syria (CBS) are suspended
- Financial dealings and trade agreements with the Syrian government are halted
- Bank assets of the Syrian government are frozen
- Arab financing of new projects in Syria is stopped

Top personalities not featured on the list are President Assad himself and his foreign minister, Walid al-Moualem.

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<sup>27</sup> [http://www.cbsnews.com/8301-202\\_162-57331687/arab-league-approves-syria-sanctions/](http://www.cbsnews.com/8301-202_162-57331687/arab-league-approves-syria-sanctions/)

<sup>28</sup> <http://www.guardian.co.uk/world/2011/nov/12/syria-suspended-arab-league>

<sup>29</sup> <http://www.bbc.co.uk/news/world-middle-east-15901360>

<sup>30</sup> <http://www.nytimes.com/2011/11/28/world/middleeast/arab-league-prepares-to-vote-on-syrian-sanctions.html?gwh=C1DC7DBB6B559EBB90216F5CA1F7A41B&pagewanted=all>

<sup>31</sup> <http://www.syriancouncil.org/en/news/item/5-arab-league-imposes-historic-sanctions-against-the-assad-regime.html>